

JAN 16 2013

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

JULIA C. DUDLEY, CLERK
BY: *[Signature]*
DEPUTY CLERK

LAMAR DIXON,)	CASE NO. 7:12CV00205
)	
Petitioner,)	
v.)	FINAL ORDER
)	
DIRECTOR, DEPARTMENT OF)	
CORRECTIONS,)	
)	By: Glen E. Conrad
)	Chief United States District Judge
Respondent.)	

In accordance with the accompanying memorandum opinion, it is hereby

ADJUDGED AND ORDERED

that the respondent's motion to dismiss and supplemental motion to dismiss (ECF Nos. 10 & 27) are **GRANTED**; the petition for a writ of habeas corpus, pursuant to 28 U.S.C. § 2254, as amended, (ECF Nos. 1, 24 & 26) is **DISMISSED**, and this action is stricken from the active docket of the court.

Further, finding that petitioner has failed to make a substantial showing of the denial of a constitutional right as required by 28 U.S.C. § 2253(c)(1), a certificate of appealability is **DENIED**.

ENTER: This 16th day of January, 2013.

[Signature: Glen E. Conrad]

Chief United States District Judge